

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on April 5, 2005 at 7:07 p.m.

Mayor Carter presiding.

The following members of the Council answered roll call: YEA Commissioner Mark Donnell, YEA Commissioner Harold Gambill, YEA Commissioner Jerrold Hesse, YEA Commissioner David Schilling, YEA Mayor David E. Carter.

Also in attendance were City Administrator Richard Underkofler, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Police Chief Larry Metzelaars, Fire Chief Bruce Grafton, Parks/Lakes/Cemetery Superintendent Kurt Stretch, Utilities Superintendent Chris Hartbank, Streets Superintendent Mike Dow, Community Coordinator Kyle Gill, Tourism Director Beth Hettinger, Technology Coordinator Brian Johanpeter, and City Clerk Susan O’Brien.

Commissioner Donnell seconded by Commissioner Schilling moved to approve the minutes of the regular meeting March 15 and special meeting March 22, 2005.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Donnell moved to approve the Department Report of the Police Department for the month of February.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Schilling moved to approve the bills & payroll for the second half of March, 2005.

**Bills and Payroll for the second half of March 2005**

**General Fund**

Payroll		\$ 212,752.62
Bills		<u>\$ 214,316.37</u>
	Total	\$ 427,068.99

**Hotel Tax Fund**

Payroll		\$ 1,359.23
Bills		<u>\$ 367.29</u>
	Total	\$ 1,726.52

**Midtown TIF**

Bills		<u>\$ 3,575.80</u>
	Total	\$ 3,575.80

**Capital Project**

Bills		<u>\$ 132.05</u>
	Total	\$ 132.05

**Water Fund**

Payroll		\$ 28,515.92
Bills		<u>\$ 22,486.10</u>
	Total	\$ 51,002.02

**Sewer Fund**

Payroll		\$ 35,296.21
Bills		<u>\$ 25,554.86</u>

	Total	\$ 60,851.07
<b><u>Cemetery Fund</u></b>		
Payroll		\$ 2,100.94
Bills		<u>\$ 534.78</u>
	Total	\$ 2,635.72
<b><u>Motel Fuel Tax Fund</u></b>		
Bills		<u>\$ 2,369.21</u>
	Total	\$ 2,369.21
<b><u>Health Insurance Fund</u></b>		
Bills		<u>\$ 51,072.54</u>
	Total	\$ 51,072.54

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

The public hearing on the tentative budget for the fiscal year that begins May 1, 2005 and ends April 30, 2006 opened at 7:08 p.m. by Attorney Owen. Administrator Underkofler presented an overview of the budget and its availability. Administrator Underkofler stated the budget was fully consistent with previously prepared budget strategies with the exception of the number of police officers. Further, the capital projects outlays in the general fund were moved to the capital projects fund, where some hopeful surplus cash was moved from Insurance and Tort Judgment Fund to cover the expenditures. Revenue estimates were provided by Administrator Underkofler with conservative projection adjustments by Treasurer Owen. Attorney Owen opened the floor for comments. Mr. Herb Meeker of the Journal Gazette requested the total amount of the budget for this year. Administrator Underkofler reviewed the funds, excluding the health insurance plan, capital projects fund, and non-operating expenditures. Attorney Owen closed the public hearing at 7:21 p.m. Administrator Underkofler requested a consensus on additional changes to the budget: 1) Budget FEMA Grant Expense of \$72,000; 2) Budget Bagelfest expense of \$66,092 instead of \$80,000; 3) Hire a Lake Land College Intern for 15 months with 12 months in the 2005/2006 fiscal year; 4) Hire one additional police officer (41 total) by altering the budgets for street lighting and MFT; 5) Budget RLF monies to cover the water/sewer extensions for a new assisted-living facility. Council had no objections. Commissioner Hesse seconded by Commissioner Schilling moved to adopt Ordinance 2005-5201, removing stop signs on Illinois Avenue at 6<sup>th</sup> Street.

**CITY OF MATTOON, ILLINOIS  
ORDINANCE NO. 2005-5201**

**AN ORDINANCE DIRECTING THAT ILLINOIS AVENUE AND SOUTH 6<sup>TH</sup> STREET BE CHANGED FROM A FOUR-WAY STOP INTERSECTION TO A TWO-WAY STOP INTERSECTION**

**WHEREAS**, the City of Mattoon's Public Works Department and Police Department have completed a traffic study for the intersection listed below, in accordance with City Ordinance No. 2003-5172; and,

**WHEREAS**, The intersection does not meet the criteria stated in City Ordinance No 2003-5172 for an all-way stop intersection.

Illinois Avenue	and	6 <sup>th</sup> Street
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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. The following sections of Schedule III of Chapter 74 of the City of Mattoon Code of Ordinances are hereby repealed:

(A) Where Stop Signs control the right of way at an Intersection.

2) The following intersections are all-way, four-way stop intersections:

Illinois Avenue	and	6 <sup>th</sup> Street
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Section 2: Schedule III of Chapter 74 of the City of Mattoon Code of Ordinances is hereby amended as follows:

4) The following intersections are two-way stop intersections:

6 <sup>th</sup> Street	stops approaching	Illinois Avenue
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Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This **ordinance shall be effective upon its approval as provided by law.**





driveway entrance will not exceed 24 feet in width and it will be located not less than 20 feet from the east lot line.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 5.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Carter, seconded by Commissioner Gambill, adopted this 5th day of April, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,

Commissioner Hesse, Commissioner Schilling,

Mayor Carter

NAYS (Names): None

ABSENT (Names): None

Approved this 5th day of April, 2005.

/s/ David E. Carter

David E. Carter,

Mayor

City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien

/s/ J. Preston Owen

Susan J. O'Brien, City Clerk

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 6, 2005.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Donnell moved to adopt Resolution 2005-2582, adopting Policy & Criteria for Midtown TIF Incentive Grants & Loans.

CITY OF MATTOON, ILLINOIS

## **RESOLUTION 2005-2582**

### **A RESOLUTION ADOPTING POLICY AND CRITERIA FOR MIDTOWN TIF INCENTIVE GRANTS AND LOANS**

**WHEREAS**, the time is now appropriate for the City Council to establish policy and criteria for economic incentives available to persons interested in helping to implement the Midtown Redevelopment Plan and Project; and

**WHEREAS**, at a meeting held March 24, 2005, the Midtown Redevelopment Advisory Committee approved policy and criteria presented as an exhibit to this resolution with recommendations that up to \$250,000 be budgeted for a first round of applications to be awarded by a competitive procedure based upon the evaluation criteria while applications may be considered at any time for new business construction, business relocation, expansion and rehabilitation projects that will generate more tax increment than façade restoration, emergency structural repair and code compliance projects; and

**WHEREAS**, at a meeting held March 29, 2005, the Public Works Advisory Board recommended approval of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, that a document titled "MIDTOWN TIF REDEVELOPMENT INCENTIVE POLICIES AND CRITERIA", a copy of which is attached hereto and incorporated by reference, is hereby approved.

Upon motion by Commissioner Schilling, seconded by Commissioner Donnell, adopted this 5th day of April, 2005, by a roll call vote, as follows:

AYES (Names): Commissioner Donnell, Commissioner Gambill,

Commissioner Hesse, Commissioner Schilling,

Mayor Carter

NAYS (Names): None

ABSENT (Names) None

APPROVED this 5th day of April, 2005.

/s/ David E. Carter

David E. Carter, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan O'Brien, City Clerk

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 6, 2005.

Mayor Carter opened the floor for discussion. Mayor Carter voiced concern over the possibility of multiple opportunities for grants.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Donnell moved to remove Council Decision Request 2005-413 from the table.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Schilling seconded by Commissioner Donnell moved to approve Council Decision Request 2005-413, authorizing the city attorney to draft and the mayor to sign a grant agreement that would reimburse Dr. Donald Freesmeier up to \$47,000 from future TIF Revenues for costs of demolishing the rear portion of a structure and façade improvements for three buildings located at 1510-1514 Broadway Avenue.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Schilling moved to approve Council Decision Request 2005-421: authorizing the city attorney to draft and the mayor to sign an agreement with Doug Babb d/b/a Gunner Buc's Pub and Grill to enable the use of right-of-way north of Gunner Buc's for parking lot purposes.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Gambill moved to approve Council Decision Request 2005-422: authorizing the city attorney to draft and the mayor to sign an agreement with Jonathan Arena d/b/a Villa Pizza to enable the use of right-of-way south of Villa Pizza for an underground grease trap.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Gambill moved to approve Council Decision Request 2005-423: reporting bids received and authorizing contracts for mowing real estate owned by the municipality:

- A \$154,050.00 contract with White's Lawn Care of Neoga for the mowing of Dodge Grove Cemetery; and
- Four contracts valued at \$66,018.89 with Maddison Landscaping of Mattoon for the mowing of lake parcel, parks, rights-of-way and other real estate owned by the City.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Gambill seconded by Commissioner Donnell moved to approve Council Decision Request 2005-424: approving an assignment of Lot 52 as shown on the Preliminary Plat of Lake Paradise Subdivision from the Estate of Charles and Mary Ann McCoy to

Fred N. Wright.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Gambill moved to approve Council Decision Request 2005-425, approving specifications, a \$40,000 cost estimate and authorizing the solicitation of competitive bids to replace Cemetery Maintenance & Office Buildings with one 60 x 40 metal building.

Mayor Carter opened the floor for discussion. Mayor Carter asked about the condition of the current building. Commissioner Donnell stated the building had been condemned twice.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Donnell seconded by Commissioner Schilling moved to approve Council Decision Request 2005-426 approving grants of Hotel & Motel Tax Funds as recommended by the Tourism Advisory Committee. (\$2,000 to Mattoon Pride Softball to host a Community College Regional Softball Tournament;\$2,500 to East Central Illinois Antique Farm Equipment Club to host a Farm Equipment Show; \$1,800 to Stitcher's Express to host a needlework seminar, "A Stitcher's Get-A-Way";\$2,000 to EIU / Charleston Tourism to host the IHSA Finals State Track Meet;\$5,000 to the Mattoon Babe Ruth League to host the Cal Ripken 12-year olds Illinois state baseball tournament.) Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Commissioner Hesse seconded by Commissioner Schilling moved to approve Council Decision Request 2005-427, approving the appointment of two temporary employees in the Public Works Department for assignment to the Yard Waste site.

Mayor Carter opened the floor for discussion. No discussion.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter opened the floor for public discussion. Mr. Meeker inquired about the yard waste facility. Superintendent Dow stated the hours of operation as Monday through Friday 7 a.m. to 6 p.m.; Saturday 8 a.m. to 4 p.m.; and Sunday 10 a.m. to 4 p.m.

Mayor Carter seconded by Commissioner Donnell moved to recess to closed session at 7:35 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c) (1): Grievance brought by AFSCME Local 3821 seeking to reverse a decision to discharge an employee for violation of personnel policies.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Council reconvened from closed session at 8:33 p.m.

Commissioner Schilling seconded by Commissioner Donnell moved to sustain the decision and deny the grievance to terminate an employee for violation of personnel policies.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

Mayor Carter seconded by Commissioner Gambill moved to adjourn at 8:35 p.m.

Mayor Carter declared the motion carried by the following vote: YEA Commissioner Donnell, YEA Commissioner Gambill, YEA Commissioner Hesse, YEA Commissioner Schilling, YEA Mayor Carter.

/s/ Susan J. O'Brien

City Clerk